

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 02, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jose Elpidio Solorio-Bejar

Case Number: 0980 4:23CR06003-SAB-1

Last Known Address of Offender: [REDACTED] Kennewick, Washington 99336

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: March 18, 2024

Original Offense: Felon in Possession of Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1) and 924(a)(8)

Original Sentence: Prison - Time Served (383 days) Type of Supervision: Supervised Release
TSR - 3 years

Asst. U.S. Attorney: Lisa Cristine Cartier-Giroux

Date Supervision Commenced: March 18, 2024

Defense Attorney: Jennifer R. Barnes

Date Supervision Expires: March 17, 2027

PETITIONING THE COURTTo issue a **warrant**.

On April 3, 2024, a United States Probation Officer reviewed with Mr. Solorio-Bejar all the conditions of supervised release. He verbalized a full understanding, signed a copy of his conditions, and was provided with a signed copy. The defendant was referred to Merit Resource Services (Merit) for substance abuse treatment services and for random drug testing.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Special Condition # 4:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by having used a controlled substance, methamphetamine, on or about August 20, 2024.

On August 20, 2024, Mr. Solorio-Bejar completed a drug test as required at Merit and the drug test results were presumptive positive for amphetamine and methamphetamine. Merit staff packaged and sent this drug test to Abbott Laboratory for confirmation. Mr. Solorio-Bejar denied any drug use. The probation office later received the drug test report from Abbott Laboratory on September 1, 2024, confirming a positive result for methamphetamine.

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- 2 **Standard Conditions # 4:** You must be truthful when responding to the questions asked by your probation officer.

Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by not being truthful to questions asked by the probation officer on or about August 27, 2024.

On August 27, 2024, during an office visit, the undersigned officer questioned Mr. Solorio-Bejar about the pending drug test results for the drug test previously collected at Merit on August 20, 2024, as noted above. The defendant denied drug use when asked by the probation officer. As mentioned above, the drug test report was later received confirming a positive result for methamphetamine. After he was confronted with the laboratory results, Mr. Solorio-Bejar admitted to being dishonest and to using methamphetamine on an ongoing basis.

- 3 **Special Condition # 4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by using a controlled substance, methamphetamine, on or before September 19, 2024.

On September 19, 2024, Mr. Solorio-Bejar reported to the probation office as instructed. During this office visit, he admitted to the undersigned officer to having used controlled substance, methamphetamine, on an ongoing basis, using the drug at least on a weekly basis.

- 4 **Standard Conditions # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report the probation officer as instructed.

Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by failing to report in person to the probation office on or about September 24, 2024.

On September 19, 2024, the undersigned officer advised Mr. Solorio-Bejar he was being placed on increased reporting to the probation office, with increased drug testing to address his ongoing use of methamphetamine, per his self-admission. Mr. Solorio-Bejar verbalized a full understanding. Mr. Solorio-Bejar was instructed to report in person to the probation office on September 24, 2024.

On September 24, 2024, Mr. Solorio-Bejar failed to report in person to the probation officer as instructed. He sent the undersigned officer a text message reporting he missed this appointment because he had been sleeping, he was not feeling well, and he could not even speak; however, he reported he was able to pick up his son.

- 5 **Special Condition # 4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by failing to report to Merit for drug testing on September 24, 2024.

Merit staff reported Mr. Solorio-Bejar failed to report for drug testing as required on September 24, 2024.

- 6 **Special Condition # 3:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by failing to comply with outpatient substance abuse treatment on or since September 20, 2024.

On October 1, 2024, the substance abuse counselor at Merit reported to the undersigned officer Mr. Solorio-Bejar had previously disclosed his drug use of methamphetamine to the counselor, and he had been allowed to remain in intensive outpatient substance abuse treatment (IOP). However, the defendant has not attended scheduled treatment sessions, is not reporting for drug testing, not attending the required self-help community meetings, and the last time the defendant had any contact with the provider was on September 20, 2024.

- 7 **Special Condition # 4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by failing to report to Merit for drug testing as required on or about September 27, 2024.

Merit staff reported Mr. Solorio-Bejar failed to report for drug testing as required on September 27, 2024.

- 8 **Special Condition # 4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by failing to report to Merit for drug testing as required on September 30, 2024.

Merit staff reported Mr. Solorio-Bejar failed to report for drug testing as required on September 30, 2024.

- 9 **Standard Conditions # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report the probation officer as instructed.

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Supporting Evidence: Jose Solorio-Bejar is considered to be in violation of his term of supervised release conditions by failing to report in person to the probation office on or about October 1, 2024.

On October 1, 2024, the undersigned officer called and left a voice message instructing the defendant to report to the probation office on this same date at 11:30 a.m. The undersigned officer also sent him a text message with the same reporting instructions. Mr. Solorio-Bejar failed to report as instructed, and as of the completion of this report, he has not made any effort to contact the probation office.

The U.S. Probation Office respectfully recommends the Court issue a **warrant** requiring the defendant to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/01/2024

s/Elizabeth Lee

Elizabeth Lee

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

10/2/2024

Date